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VIA ECF

The Honorable A. Kathleen Tomlinson  
100 Federal Plaza  
Central Islip, NY 117222

**Re: Caccavale, et al. v. HP Inc., et al. (Case No. 20-cv-974)**

Dear Judge Tomlinson:

I am writing on behalf of all Defendants in response to Plaintiffs' letter of January 22, 2021 requesting a conference with the Court.<sup>1</sup> Defendants do not object to Plaintiffs' request, although they reserve all of their rights regarding what position(s) they will take at any conference. Defendants further write to advise the Court that, on January 22, 2021, they submitted a pre-motion letter to Judge Brown to: (1) outline a motion to certify Judge Brown's January 12, 2021 motion to dismiss decision for appeal pursuant to 28 U.S.C. § 1292(b) and for a stay; and (2) request a pre-motion conference with Judge Brown. [Dkt. No. 65]. Plaintiffs requested that they be given until January 29, 2021 to respond to this letter [Dkt. No. 67], which Defendants did not oppose, and the Court granted Plaintiffs' request on January 23. Defendants will be prepared to discuss their anticipated § 1292(b) and stay motions, and other issues, with the Court at any conference it holds.

Thank you for your consideration.

Respectfully submitted,  
*/s/ Kristofor T. Henning*  
Kristofor T. Henning

cc: All Counsel of Record (VIA ECF)

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<sup>1</sup> The undersigned represents HP Inc. and HPE, but Unisys also joins in this letter.